

## MISCELLANEOUS STATUTORY PROVISIONS

### TITLE 21-A: DEFINITIONS, RECORDS, AND VIOLATIONS AND PENALTIES

#### 21-A MRSA § 1, sub-§5. Definitions

**5. Candidate.** “Candidate” means any person who has filed a petition under either sections 335 and 336 or sections 354 and 355 and has qualified as a candidate by either procedure, or any person who has received contributions or made expenditures or has given his consent for any other person to receive contributions or make expenditures with the intent of qualifying as a candidate.

#### 21-A MRSA § 1, sub-§11. Definitions

**11. County office.** “County office” means the office of judge of probate, register of probate, county treasurer, register of deeds, sheriff, district attorney or county commissioner.

#### 21-A MRSA § 1, sub-§30. Definitions

**30. Political Committee.** “Political committee” means 2 or more persons associated for the purpose of promoting or defeating a candidate, party or principle.

#### 21-A MRSA § 23, sub-§§9-11. Preservation and destruction of records

**9. Registration of treasurer.** The Commission on Governmental Ethics and Election Practices shall keep the registration of a treasurer under section 1013 in its office for two (2) years.

**10. Records and campaign finances.** Each treasurer and each candidate shall keep the records required by section 1016 for two (2) years following the election to which they pertain.

**11. Campaign reports.** The Commission on Governmental Ethics and Election Practices shall keep the campaign reports or report data in its office for at least 8 years.

#### 21-A MRSA § 32, sub-§§ 1-2. Violations and penalties

**1. Class E crime.** A person commits a Class E crime if that person:

- A. Knowingly violates a provision of this Title for which no penalty has been provided; or
- B. Knowingly displays or distributes political advertisements in or on state-owned or state-leased property.

This paragraph does not apply to acts on state highways or to displays on motor vehicles not owned by the State while temporarily parked in parking areas on land maintained by the State. This paragraph does not apply to acts in or on a state-owned or state-leased building for a period beginning 48 hours before and ending 48 hours after that building is used by a political party to conduct a political activity within that building.

**2. Class D crime.** A person commits a Class D crime if that person:

- A. Is a public official and knowingly fails or refuses to perform a duty required of that official under this Title.

## **TITLE 30-A: CAMPAIGN FINANCE REPORTS IN MUNICIPAL ELECTIONS**

### **30-A MRSA § 2501. Applicability of provisions for municipalities and counties**

**1. Clerk to perform duties of Secretary of State.** When Title 21-A applies to any municipal election, the municipal clerk shall perform the duties of the Secretary of State prescribed by Title 21-A.

**2. Qualifications for voting.** The qualifications for voting in a municipal election conducted under this Title are governed solely by Title 21-A, section 111.

### **30-A MRSA § 2502. Campaign reports in municipal elections**

**1. Reports by candidates.** A candidate for municipal office of a town or city with a population of 15,000 or more is governed by Title 21-A, sections 1001 to 1020-A, except that registrations and campaign finance reports must be filed with the municipal clerk instead of the Commission on Governmental Ethics and Election Practices. A town or city with a population of less than 15,000 may choose to be governed by Title 21-A, sections 1001 to 1020-A by vote of its legislative body at least 90 days before an election for office. A town or city that votes to adopt those provisions may revoke that decision, but it must do so at least 90 days before an election subject to those sections.

A. Notwithstanding Title 17-A, section 4-A, a candidate who fails to file a notice or report as required by this section is guilty of a Class E crime and may be punished by a fine of \$5 for every day the candidate is in default or by imprisonment for not more than 30 days, or both.

**2. Municipal referenda campaigns.** Municipal referenda campaigns in towns or cities with a population of 15,000 or more are governed by Title 21-A, chapter 13, subchapter 4. The registrations and reports of political action committees and ballot question committees must be filed with the municipal clerk. A town or city with a population of less than 15,000 may choose to be governed by Title 21-A, chapter 13, subchapter 4 by vote of its legislative body at least 90 days before a referendum election. A town or city that votes to adopt those provisions may revoke that decision, but it must do so at least 90 days before an election subject to that subchapter.

**3. Public access to records.** A town or city that receives registrations or reports pursuant to this section must keep them for 8 years.

## **TITLE 36: MCEA VOLUNTARY TAX CHECK-OFF**

### **36 MRSA § 5286. Contribution to Maine Clean Election Fund; voluntary check off**

**1. Designation.** Resident taxpayers may designate that \$3 of their taxes be deposited in the Maine Clean Election Fund in accordance with Title 21-A, section 1124.

**2. Forms.** The State Tax Assessor shall provide on the first page of the income tax form a space for the filing individual to indicate whether that filer wishes to pay \$3, or \$6 if filing a joint return, from the General Fund of the State to finance the Maine Clean Election Fund.

**3. Transfer of funds.** The State Tax Assessor shall transfer funds from the General Fund in accordance with Title 21-A, section 1124.